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EXAMINER

CHANG, SHIRLEY

ART UNIT PAPER NUMBER

2614

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/932,103	Applicant(s) DEVARA ET AL.	
	Examiner Shirley Chang	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-22 are rejected under 35 U.S.C. § 102(b) as being anticipated by Ullman et al. (6018768).

As to claim 1, Ullman et al. disclose:

(a) detecting incoming television signals from a plurality of sources for tag information identifying the source of said synchronized web simulcasts ("As shown in FIG. 1, a preferred embodiment of the invention is a computer based system for receiving a video program along with embedded uniform resource locators (URLs)--which direct the user's computer 16 to address locations, or Web sites, on the Internet 20 to retrieve related Web pages. These Web pages correspond to the video presentation. The particular video programming can be delivered in analog, digital or digitally compressed formats (e.g., MPEG2) via any transmission means, including satellite, cable, wire, television broadcast or sent via the Web"[4, 42-54], "In a preferred embodiment, at each subscriber home, an associated local URL decoder 12 receives the cable video television program, as shown in FIG. 1. The local URL decoder 12 extracts the URLs,

preferably embedded in the vertical blanking interval, with the use of any conventional VBI decoder device" (5, 46-57));

(b) establishing a communication channel to the source of said synchronized web simulcasts; (c) retrieving a number of enhanced features from the source of said synchronized web simulcasts; ("The client software retrieves URLs from the received video program, directly from the Internet connection 20 or via a separate data channel, interprets these URLs and directs the Web enabled browser to retrieve the particular relevant Web pages, and synchronizes the retrieved Web pages to the video content for display on the television 18, as shown in FIG. 5. In this embodiment, the relevant Web pages are shown in one frame of the television 18 while the video program is displayed in another frame" [9, 50-58]; "The JAVA enabled browser 98 allows the computer 16 to retrieve the Web pages 102 and is preferred software, since it is platform independent, and thus, enables efficient and flexible transfer of programs, images, etc., over the Internet 20" [7, 34-53]; "The actual retrieved Web pages 102, referenced by the URL, are optionally time stamped to be displayed on the computer screen when predetermined related video content is displayed in the video window, thus, enlightening and enhancing the video presentation by providing in-depth information related to the video content thereto. Another section on the screen is also preferably used to represent an operational control panel. This control panel provides a list of the URLs that have been broadcast and correspondingly received by the computer 16. This control panel is updated to add a URL code each time a new URL code is received by the PC 16. This list gives the subscriber the flexibility to go back and retrieve particularly

informative or interesting Web pages that have already been displayed earlier in the program, or alternatively, to print them out for future reference. Furthermore, the list could include URLs referring to Web pages not displayed with the broadcast program, but that provide further information on a certain topic of interest to the viewer" [8, 22-40]);

(d) storing said retrieved enhanced features in a storage medium for subsequent retrieval ("If the URL has not been detected, the specific URL is added to the URL list in step 54. The specific URL is then sent to the Web browser, preferably a JAVA enabled browser 98. Upon receipt of the URL, the browser 98, in step 58, will access the Web site address 122 (FIG. 4) indicated by the URL and retrieve the cited Web page(s) 102

(e) formatting said retrieved, enhanced features according to predetermined criteria to generate a content list ("A viewer can begin watching a musical video featuring a new band, for example. As the video is received by the PC 16, URLs are either being received with the video signal or are being received directly via the Internet 20 or another data channel, and are being interpreted by the client software 106. Upon direction and command, the JAVA enabled browser 98 retrieves particular Web pages 102 from Internet 20 Web sites identified in the URLs. These Web pages 102 will then be displayed on the video screen at particular times. Thus, for example, while the viewer is watching the music video, biographical information on the band can also be displayed adjacently to the video window. Web pages 102 could also include an upcoming concert schedule, or even audio clips of the band's music may be downloaded from the Internet 20. As another example, a user could be watching a

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program relating to financial news. While the narrator is shown discussing high tech stocks, Web pages corresponding to detailed financial performance information on high tech stocks, environment and characteristics can be displayed with the video on the computer screen. If the personalization features are included, Web pages associated with a particular user's stock can be fetched and displayed on the computer screen with the video program" [8, 41-67]; "The above embodiment can also enable personalization in the form of unique series of URLs specific to each user's unique profile, which is directly sent over the Internet 20 to each user's specific client software 106... Personalization enables each user to receive URLs which are uniquely relevant to their interests, demographics, history, or behavior in the system" [7, 12-30]).

As to claim 2, Ullman et al. disclose:

presenting said content list to a viewer (met as discussed in claim 1b).

As to claim 3, Ullman et al. disclose:

wherein said content listing includes information selected from the group consisting of enhanced feature description, source, length, starting time, ending time, and a combination thereof ("As an example, each of the records in the Link File consists of a data structure which could contain information such as: (<timecode>,<URL>,<label or title>,<additional information>,<additional information>, . . .) The above data structure is just one example. The records in the Link File preferably specify the time, Internet address (i.e. URL), label (such as an associated name), and some optional additional

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information, for each Web page the broadcaster 66 desires to launch during a show"[6, 24-49] and as discussed in 1b).

As to claim 4, Ullman et al. disclose:

selecting one of said enhanced features tied to a TV program by a viewer ("list gives the subscriber the flexibility to go back and retrieve particularly informative or interesting Web pages that have already been displayed earlier in the program, or alternatively, to print them out for future reference. Furthermore, the list could include URLs referring to Web pages not displayed with the broadcast program, but that provide further information on a certain topic of interest to the viewer" [8, 22-67]).

As to claim 5, Ullman et al. disclose:

displaying one of said enhanced features selected by said user with the corresponding TV program that is synchronized to said selected enhanced feature (met as discussed in claim 4).

As to claim 6, Ullman et al. disclose:

wherein said predetermined criteria defines the number of enhanced features associated with the source of said synchronized web simulcasts ("Although FIG. 1 shows the video with URLs over the same transmission line, the URLs can be sent down independently of the video program on a data channel. In this embodiment, the URLs can be forwarded to the remote sites either prior to initiation or during the program. Preferably, the URLs have associated time stamps which indicate to the

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subscriber stations when, during the video program, to display the particular Web pages addressed by the URLs. Alternatively, the user can select when to call the particular Web pages for display with the video program"[5, 3-12]; "the URLs are entered by member TV broadcasters 66 along with specified times for transmitting the URLs to the user. At the appropriate times, the URLs are sent directly over the Internet to the user's PC 16 via the client software 106 over a direct point-to-point or multicasting connection" [7, 57-62]).

As to claim 7, Ullman et al. disclose:

wherein said plurality of sources includes at least one of a television network, Internet network, wireless network, and wired network, or a combination thereof ("Once the video program is created, it can be transmitted to user sites over any transmission means, including broadcast, cable, satellite, or Internet, and may reside on video servers" [5-24-29]).

As to claim 8, Ullman et al. disclose:

- (a) receiving a plurality of television programs from a plurality of television broadcasters (met as discussed in claim 1a);
- (b) detecting the plurality of said television programs for tag information identifying the respective source of said synchronized web simulcasts (met as discussed in claim 1a);
- (c) determining whether said detected tag information indicates that said synchronized web simulcasts are being broadcast currently "It is understood that a hyperlink may

exist on the Web site that will allow the user to automatically load the client software and call up the specific television channel referenced in the Web site. For example, someone browsing the Internet 20 may come upon a major television network's Web site. They scroll to an interesting story then click on an hyperlink to turn on the software which tunes the TV window to the network to enhance the information residing at the Web site" [9, 20-28];

(c)(1)(i) if yes, establishing a channel connection to the source of said synchronized web simulcasts indicated by said tag information ([9, 20-28]);

(c)(1)(ii) downloading and displaying a number of enhanced features from the source of said synchronized web simulcasts to a viewer([9, 20-28]);

(c)(2)(i) if no, establishing a channel connection to the source of said synchronized web simulcasts indicated by said tag information; (c)(2)(ii) downloading a number of enhanced features from the source of said synchronized web simulcasts for storage in a memory medium for subsequent retrieval ([9, 20-28]; [8, 1-15]; [8, 41-67]).

(d) formatting said retrieved enhanced features according to predetermined criteria to generate a content list selectable by said viewer (met as discussed in claim 1e).

As to claim 9, Ullman et al. disclose:

presenting said content list to said viewer (met as discussed in claim 2).

As to claim 10, Ullman et al. disclose:

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selecting one of said enhanced features tied to a TV program by said viewer (met as discussed in claim 4).

As to claim 11, Ullman et al. disclose:

displaying one of said enhanced features selected by said user with the corresponding TV program that is synchronized to said selected enhanced feature (met as discussed in claim 5).

As to claim 12, Ullman et al. disclose:

wherein said step of displaying is performed interactively in response to said viewer's input (met as discussed in claim 1b);

As to claim 13, Ullman et al. disclose:

wherein said content listing includes information selected from the group consisting of an enhanced feature description, source, length, starting time, ending time, and a combination thereof (met as discussed in claim 3);

As to claim 14, Ullman et al. disclose:

wherein said predetermined criteria defines the >number of enhancement features associated with the source of said synchronized web simulcasts (met as discussed in claim 6);

As to claim 15, Ullman et al. disclose:

A system for managing television programs and their related web simulcasts, comprising: a detection means, coupled to receive incoming television programs viewed by a user, for detecting tag information indicating the source of synchronized web simulcasts; a communication means for establishing a communication channel to the source of said synchronized web simulcasts; a storage means for storing data representative of a plurality of enhanced features corresponding to said incoming television programs; a controlling means, coupled to said storage means, said detection means, and said communication means, for retrieving the plurality of said enhanced features from the source of said synchronized web simulcasts and for formatting said retrieved enhanced features according to predetermined criteria to generate a content list selectable by said user (met as discussed in claim 1).;

a display means, coupled to said controlling means, for displaying said incoming television programs and one of said retrieved enhanced features selected interactively by said user (met as discussed in claim 5).

As to claim 16, Ullman et al. disclose:

wherein the data representative of the plurality of said enhanced features is interactively created in advance ("This scheme enables affiliates to insert URLs for local advertisers or local subjects into a sequence of more general URLs provided by their network broadcaster 66. In other words, the affiliate can add links that ride on the network feed and then redistribute it to their local audiences" [7, 1-29] and as discussed in claim 14).

As to claim 17, Ullman et al. disclose:

The system of claim 15, wherein said predetermined criteria defines the number of enhancement features associated with the source of said synchronized web simulcasts (met as discussed in claim 6).

As to claim 18, Ullman et al. disclose:

The system of claim 15, wherein the data representative of the plurality of said enhanced features is interactively created in advance (met as discussed in claim 16).

As to claim 19, Ullman et al. disclose:

The system of claim 15, wherein said content listing includes information selected from the group consisting of an enhanced feature description, source, length, starting time, ending time, and a combination thereof (met as discussed in claim 3).

As to claim 20, Ullman et al. disclose:

A system for managing television programs and their related web simulcasts, comprising: a memory for storing a computer-readable code; and, a processor operatively coupled to said memory, said processor configured to: detect incoming television signals from a plurality of sources for tag information identifying the source of synchronized web simulcasts; establish a communication channel to the source of said synchronized web simulcasts; retrieve a number of enhanced features from the source of said synchronized web simulcasts; store said retrieved enhanced features in a storage medium for subsequent retrieval; format said retrieved enhanced features according to predetermined criteria to generate a content list; and, display one of said

enhanced features selected by said user with the corresponding TV program that is synchronized to said selected enhanced feature (met as discussed in claim 1).

As to claim 21, Ullman et al. disclose:

The method of claim 20, wherein said content listing includes information selected from the group consisting of an enhanced feature description, source, length, starting time, ending time, and a combination thereof (met as discussed in claim 3).

As to claim 22, Ullman et al. disclose:

The system of claim 20, wherein said predetermined criteria defines the number of enhancement features associated with the source of said synchronized web simulcasts (met as discussed in claim 6).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shirley Chang whose telephone number is (571)272-8546. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SC



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